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CLARK COUNTY
WASHINGTON



CP16#0497

COMMUNITY PLANNING

MEMORANDUM

TO: Board of County Councilors
David Madore, Chair
Jeanne E. Stewart, Councilor
Tom Mielke, Councilor

FROM: Oliver Orjiako, Director

DATE: January 22, 2015

SUBJECT: 2015-2035 Comprehensive Plan Update Memorialization

Councilors present: Tom Mielke, David Madore, and Jeanne Stewart

Staff present: Mark McCauley, Axel Swanson, Oliver Orjiako, Chris Cook, Mary Keltz, Peter Silliman, Gordy Euler, and other Community Planning Staff

City Staff: Robert Maul – Camas, Sam Crummett – Battle Ground, Bryan Snodgrass – Vancouver, Elizabeth Decker – Ridgefield and La Center, Mitch Kneipp - Washougal

Rural Property Owners: Don McIsaac

The purpose of the work session was to provide Councilor Stewart an overview of the 2016 Comprehensive Plan update requirements, key Board decisions to date, and introduce rural requirements of GMA.

Oliver Orjiako, Director of Community Planning, provided an overview of the comprehensive plan update process and key Board decisions. Gordy Euler, Program Manager II, provided an overview of the comp plan SEPA process to date. He reviewed the three alternatives under study and what the county is doing and not doing; such as, the suspension of site specific annual reviews/dockets, re-adopting the 2007 EIS, the supplemental EIS schedule, keeping current resource designations, keeping rural densities at 5 acre zoning per 1 dwelling unit with the emphasis that the Clark County resource and rural designations are GMA compliant per the GMA Hearings Board and the courts.

Councilor Madore asked whether another alternative will delay meeting the deadline required by the state. Staff response is that depends on the alternative that is proposed to be included in the analysis.

Councilor Madore also asked if we are required to update the plan every 7 years? The answer was the legislature changed the statute from once every ten years to eight. Each Comp Plan shall be revised to address revisions of GMA and accommodate the urban growth projected to occur in the county for the succeeding twenty-year period.

Councilor Mielke asked if the EIS is completed in house. The response was no. The county hired ESA consulting last fall to complete the SEIS. The buildable land and evaluation report is completed in house and is due to the state June, 30, 2015.

Councilor Madore affirmed that the alternatives presented were not exclusive. The preferred alternative could be a blend of alternative 2 and 3. Like baking a cake we can add ingredients to the recipe to make the cake that Clark County wants to eat. Staff responded that alternatives are analyzed independently and a hybrid option can be chosen based on all the comments received and that is consistent with the state statute. We are not bound by one alternative.

Councilor Madore asked if we are restricted to call these "alternatives" or can we explain to the citizens that these are "options." Chris Cook, Senior Deputy Prosecuting Attorney indicated that the term "alternatives" is the term used in state law. Certainly, you may refer to them as "options," but they must meet the law's requirements for SEPA alternatives. Gordy added that when documents are submitted to the state they will be called "alternatives".

Councilor Madore asked if the Comp Plan update is not due until June 2016, why are we planning on completing the SEIS in June 2015. Gordy Euler indicated that the dates have been determined based on the contract with ESA. After SEPA analysis is completed and the County selects a preferred alternative, a significant amount of work will remain to be completed before the 2016 update can be submitted. This includes: capital facilities plans and capital financial plans consistent with the preferred alternative must be updated; coordination with cities and service providers need to occur; all Title 40 amendments and Comp Plan text amendments, will need to be completed. Then Planning Commission and Board hearings must be held, and ultimately the final revisions adopted.

Staff reiterated that currently the county plan is compliant with the Growth Management Act.

Oliver Orjiako reviewed other issues such as DEAB's position that the infrastructure deductions needed to be increased. He stated that the issue has been studied since 1992 and GIS recently conducted a study that shows the percentage of land actually set aside for infrastructure to be about the same as determined in the 2016 plan update assumptions. Staff also indicated that as new development occurs, the county will monitor and adjust if necessary, and the evidence obtained will inform future Comp Plan updates.

Councilor Madore asked if the SEPA process continues as it stands today, do we close the door to more alternatives. Gordy replied yes.

Councilor Madore stated that it is crucially important to listen to rural citizens to work with staff to make the generalities specific. A Draft EIS means it's a draft and the door is still open.

Mr. Mclsaac indicated that decisions have been made without rural citizens at the table providing input. Chris Cook stated that she does not agree that the rural citizens have not participated in the process. In fact, the rural citizens have been more active than any other group in the county. They have presented testimony into the record on a weekly basis during public comment for approximately a year. They have met the commissioners each individually. They have had many meetings with planning staff and with other staff and I have met with them. Public process has also included open houses, work sessions, and many public hearings addressing these issues.

Mr. Mclsaac asked what happens if the June 2016 deadline is not met. Chris Cook indicated that if the June 2016 deadline is not met, the county will be out of compliance with GMA. For example, the county will not be eligible for grants and financial assistance.. This will affect Public Work's ability to obtain the state's share for projects.

Mr. Mclsaac asked whether the schedule could slide to September 2015 to allow for a 4th alternative. Staff answered yes the schedule can slide, however, the magnitude and environmental impacts of the 4th alternative will determine if September date can be met, and whether the due date for the entire update can be met.

Councilor Mielke suggested that the work session had gone past the time and needs to be continued to next week.

Mr. Mclsaac, what rationale was used for FR-40 going to FR-20 and AG-20 going to AG-10. Gordy Euler provided the background on the Rural Lands Task Force and stated that the work started after the 2007 plan update. While this proposal is not a direct recommendation from the task force, this is staff's attempt to negotiate a rural component from the group in the Comp Plan update.

Councilors Stewart and Madore agreed that staff should contact ESA and issue a stop work order for the SEIS. Suspend the current SEIS schedule and cancel the February 4th date public issuance until more information is provided on the 4th alternative.

Councilor Stewart also asked whether we could revisit the population and job projections because she has concern about the jobs/housing balance. Chris Cook stated that those decisions were the foundation of all decisions so far, and revisiting them would require starting over on the SEPA process.

Councilor Stewart asked if we could revise in a few years. Chris Cook explained she vividly remembered being yelled at by a Court of Appeals judge, who did not believe that it had been legitimate for the County to do that in 2007 after the 2004 plan. Oliver added that the former Board added a language in our policy text that allows for UGAs to expand for jobs purposes in between the update cycle.

The work session adjourned with the understanding that a 4th alternative will be proposed for addition to the SEPA process.

O'Donnell, Mary Beth

From: Orjiako, Oliver
Sent: Friday, January 23, 2015 2:23 PM
To: Madore, David; Mielke, Tom; Stewart, Jeanne
Cc: McCauley, Mark; Cook, Christine; Euler, Gordon; Tilton, Rebecca; McCall, Marilee; O'Donnell, Mary Beth; Keltz, Mary
Subject: 2015_21_010_WS_Memorialization2 (5).doc



Hello Councilors:

Attached, please find the memorialization of the January 21, 2016 work session related to the 20-Year Comprehensive Growth Management Plan update. Please, let me know if you have questions or clarifications. Thanks in advance.

Best Regards,

Oliver